RECORD
AND
BRIEFS

No. 15-274

IN THE
SUPREME COURT OF THE UNITED STATES

WHOLE WOMAN'S HEALTH, et. al., *Petitioners*

v.

KIRK COLE, COMMISSIONER, TEXAS DEPARTMENT OF STATE HEALTH SERVICES, et. al., *Respondents*

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

BRIEF AMICUS CURIAE BY THE LEGAL DEFENSE FOR UNBORN CHILDREN IN SUPPORT OF NEITHER PARTY

ALAN ERNEST
Counsel

P.O. BOX 8081
TUMACACORI, AZ 85640
(520) 281-7513
alanernest@mchsi.com

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BRIEF OF THE AMICUS CURIAE

THE INTEREST OF THE AMICUS CURIAE

The Amicus defends the constitutional right to life for all unborn persons which the parties have not done. The constitutional issue presented by the Amicus disposes of all issues in this case.

THE CONSTITUTIONAL QUESTION

Roe v. Wade is unconstitutional and void to an ABSOLUTE MATHEMATICAL CERTAINTY:

1. In Roe v. Wade, the State of Texas argued that the words "any person," as used in the Fourteenth Amendment, include unborn persons.

2. And the Court acknowledged:

> "If this suggestion of personhood is established, the appellant's case, [of a constitutional right to abortion] of course, collapses, for the fetuses right to life would then be guaranteed by the Amendment."
>
> Roe v. Wade, at 156. (Bracketed matter added)

3. But the Court conjectured:

> "the word 'person,' as used in the Fourteenth Amendment, does not include the unborn."
>
> Roe v. Wade, at 158.

Compliance with Supreme Court Rule 37: Counsel is the sole author of the amicus curiae brief. Counsel made the sole monetary contribution to pay for the preparation and submission of this brief. Both parties consented to file this amicus brief asking for the reconsideration of Roe v. Wade.

4. And, the Court decreed the killing of unborn persons, defined by statutory law to be mass murder and criminal extermination, to be "liberty."

BUT, Roe v. Wade is unconstitutional and void, because the Preamble, Fifth and Fourteenth Amendments secure the right to life of all unborn persons to an **ABSOLUTE MATHEMATICAL CERTAINTY.**

THE SUMMARY OF ARGUMENT

The same mathematical analysis, which Chief Justice John Marshall employs in both *Marbury v. Madison*, and *Cohens v. Virginia*, to confirm the U.S. Supreme Court's two most important powers, confirms:

The U.S. Constitution is written in the language of mathematics to establish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the right to life secured by the Preamble, Fifth and Fourteenth Amendments includes all unborn persons, along with all other persons in America, with no exceptions whatsoever.

THE ARGUMENT

The Definition: ABSOLUTE MATHEMATICAL CERTAINTY

A Preface

Napoleon said, "A constitution should be short and *obscure*." (Emphasis added). **All emperors would surely agree.**

1. **BUT**, no sane person can dare to insist that the U.S. Constitution is designed to be "obscure," so We the People cannot distinguish the government officials ***who obey the Constitution***, from the officials ***who are mass murderers.***

2. As the examples in *Marbury v. Madison* confirm:

The U.S. Constitution is written in the language of mathematics to secure the right to life to an **ABSOLUTE MATHEMATICAL CERTAINTY**, so an impartial jury can ***instantaneously*** distinguish the judges ***who obey the Constitution***, from the judges ***who are mass murderers.***

The definition of ABSOLUTE MATHEMATICAL CERTAINTY:

> *Absolutely elementary mathematics*, counting on the fingers, leads to **ABSOLUTE MATHEMATICAL CERTAINTY.**

1. The mathematician David Berlinski describes the operations of *absolutely elementary mathematics*:

> "The calculations and concepts of absolutely elementary mathematics are controlled by the single act of counting by one." David Berlinski, *One, Two Three: Absolutely Elementary Mathematics* 5 (2011).

2. The operation of adding by one establishes a mathematical succession, which starts at 0:

$0 + 1 = 1$; $1 + 1 = 2$; $2 + 1 = 3$; $3 + 1 = 4$; etc.

3. And, the U.S. Constitution employs the same *absolutely elementary mathematics*, of adding by one (counting on the tips of the fingers), which the Universe itself employs to create physical reality.

4. The Universe employs *absolutely elementary mathematics* to construct its *Atomic Chart of the Elements*, by adding one proton at a time to form each new element. In effect, the Universe is counting protons on its fingers, adding by one.

By nucleosynthesis, Stars add up protons by one:

1 proton (hydrogen) + 1 proton (hydrogen) =
2 protons (helium).

5. And the U.S. Constitution employs *absolutely elementary mathematics* to establish vital limits on government powers. For example:

a. The term "two witnesses" (Art. III, Sect. 3) is established by counting by one:

1 witness + 1 witness = 2 witnesses

b. The word a "majority" (Art. I, Sect. 5) is established by counting by one; and

c. And, polling jurors one by one, a judge can determine if a verdict is unanimous.

6. The operation of *absolutely elementary mathematics,* of "counting by one," leads to "certainty." Berlinski, *supra*, at 35.

7. And, this operation of *absolutely elementary mathematics*, of counting by one, which the Universe

employs to create physical reality, and which the U.S. Constitution employs to establish vital limits on government powers, leads to certainty which is as ***absolutely certain***, as ***absolute certainty*** can get, in this Universe.

Thus, this "certainty" is herein called **ABSOLUTE MATHEMATICAL CERTAINTY.**

8. However, judges may prefer to describe this "certainty" with the words used by Chief Justice John Marshall:

> The Constitution's limits on government powers are written so the limits "***may not be mistaken, or forgotten***," and "***nothing can be more perfectly clear***." *Marbury v. Madison*, at 176, 166. (Emphasis added).

I.
THE FIRST CONSTITUTIONAL ISSUE:
"Treason to the Constitution"

> **Discretion:** "Power or privilege of a court to act ***unhampered by legal rule.***" *Black's Law Dictionary* (1968). (Emphasis added).

COHENS v. VIRGINIA, 19 U.S. 264 (1821)

In *Cohens v. Virginia*, Chief Justice John Marshall confirms two landmark constitutional principles:

Principle 1:
The U.S. Constitution is designed in the language of mathematics to establish the U.S. Supreme Court's appellate jurisdiction to an **ABSOLUTE**

MATHEMATICAL CERTAINTY.

Principle 2:
BUT, Chief Justice Marshall warns all judges: The Constitution's language of mathematics also establishes ***a vital limit on judicial power*** to an **ABSOLUTE MATHEMATICAL CERTAINTY**; and judges who "usurp" power to pass the limit commit "treason to the constitution."

CONSTITUTIONAL PRINCIPLE 1

The U.S. Constitution employs the language of mathematics to establish the appellate jurisdiction of the U.S. Supreme Court to an ABSOLUTE MATHEMATICAL CERTAINTY.

A.
U.S. Constitution, Article III, Section 2

1. In *Cohens v. Virginia*, Chief Justice John Marshall observes: The U.S. Constitution extends the appellate jurisdiction of its Supreme Court to "all cases" arising under the Constitution and laws of the United States, not merely "some" cases.

a. Thus, the Constitution plainly establishes a national guardian to secure the constitutional right to life and liberty of all persons in America.

b. And, the U.S. Supreme Court's appellate jurisdiction is perhaps the single greatest security for the right to life and liberty which the U.S. Constitution provides.

i. As *Federalist* No. 10 explains: Violent

majorities "have, in truth, been the mortal diseases under which popular governments have everywhere perished."

ii. And *Federalist* No. 78 explains: The rights of individuals can only be preserved by the Courts; and unless the U.S. Supreme Court preserves these "manifest" rights, the rights "would amount to nothing."

iii. Thus the Constitution's limits on government powers are written in the language of mathematics to give this Court ***unmistakable*** guidance in supporting the limits.

2. But, in *Cohens v. Virginia*, the State claimed that the Constitution's words "all cases" do not mean what they expressly say; that there was no appeal from any State court to the U.S. Supreme Court; that the Constitution had not erected a national guardian to secure the right to life and liberty of everyone.

a. The State of Virginia had convicted a defendant of a crime for conduct which was protected by the Constitution and laws of the United States. And the defendant appealed from the State court to the U.S. Supreme Court to reverse his conviction.

b. But, the State inferred from ***extrinsic circumstances***, (concerning the history of State sovereignty), that cases arising in State courts are exempt from the U.S. Supreme Court's appellate jurisdiction over "all cases" arising under the Constitution.

c. Thus, the State disregarded the Constitution's

express words, and inferred from ***extrinsic circumstances*** that, as an independent sovereign, a State was the final judge of the legality of its own decisions.

3. However, Chief Justice Marshall responds to the State's claim of exemption from appellate review:

> "This clause extends the jurisdiction of the Court to *all the cases* described **[All = 100%]**, *without making in its terms any exception whatever* **[Exceptions = 0]**... If there be any exception, it is to be implied against the express words of the article."
> *Cohens v. Virginia*, at 378 (1821). (All emphasis and bracketed matter added.)

Justice Joseph Story had earlier observed that the term "all cases" means what it says, and extends the Supreme Court's appellate jurisdiction "*to all cases*," **[All = 100%]** and not merely "*some cases*." **[Exceptions = 0]**. *Martin v. Hunter's Lessee* at 338 (1816). (Emphasis in text; bracketed matter added).

B.

ABSOLUTE MATHEMATICAL CERTAINTY

1. Thus, Chief Justice Marshall confirms that the U.S. Constitution secures the appellate jurisdiction of the U.S. Supreme Court by ***twice*** employing the language of mathematics: in both a positive format, and a negative format:

"ALL THE CASES DESCRIBED = 100%

"WITHOUT ANY EXCEPTION WHATEVER" = 0

2. Consequently, the U.S. Constitution secures the appellate jurisdiction of the U.S. Supreme Court by clamping it tightly in the jaws of a mathematical vise, consisting of two equations designed in the language of **ABSOLUTE MATHEMATICAL CERTAINTY.** Thus, "nothing can be more perfectly clear."

3. And, in *Cohens v. Virginia*, Chief Justice Marshall concludes that "The question then must depend on the words themselves:"

> "The maintenance of these principles in their purity, is certainly among the great duties of ... the judicial department." *Cohens v. Virginia*, 382.

a. Chief Justice Marshall concludes that the Constitution's language of mathematics means what it expressly says:

   i. **ALL CASES = 100%.**

   ii. **NO EXCEPTIONS WHATEVER = 0**

b. And, Chief Justice Marshall concludes that the Court must "sustain the words in their full operation and natural import." *Cohens v. Virginia*, at 384.

4. Conclusion: Chief Justice Marshall emphatically confirms that judges are not authorized ***to infer***

from extrinsic circumstances, that these mathematical terms, **ALL = 100%**, and **NO EXCEPTIONS WHATEVER = 0**, do not mean what they expressly say, and thus construe this **GENERAL** appellate jurisdiction over "all cases," to be merely a **LIMITED** jurisdiction over ***some*** cases, but not ***others***, and thus destroy the Constitution's general principle.

CONSTITUTIONAL PRINCIPLE 2
Consequently, to secure its perpetuity, the U.S. Constitution's language of mathematics also establishes a limit on judicial power to an ABSOLUTE MATHEMATICAL CERTAINTY; and judges who pass this limit commit "treason to the constitution."

A.
"Extrinsic Circumstances"

1. Chief Justice Marshall emphasizes that the State's claims were founded, not on Constitution's words, but on ***extrinsic circumstances***:

> "The argument in all its forms is essentially the same. It is founded, ***not on the words*** of the constitution, but on its spirit, a spirit extracted, ***not from the words*** of the instrument, but from his view of the nature of our Union..."
>
> *Cohens v. Virginia*, at 422 (Emphasis added)

2. And, Chief Justice Marshall explains that ***extrinsic circumstances***, (such as *the history of our country*, or the *spirit* of the U.S. Constitution), are a contentious source of information, which both parties

to a dispute can invoke to support their opposing claims.

> "While ***weighing arguments*** drawn from the nature of government, and from the general spirit of an instrument, and urged for the purpose of narrowing the construction which the words of that instrument seem to require, it is proper to place ***in the opposite scale*** those principles, drawn from the same sources, which go to sustain the words in their full operation and natural import." *Cohens v. Virginia*, at 384. (Emphasis added).

3. And, "***weighing***" "***arguments***" on a "***scale***" involves judicial discretion: Judging the *relevance*, *credibility* and *weight* of evidence, (such as "the history of our country," or the "spirit" of the Constitution), is inherently a ***discretionary*** judicial power, a "Power or privilege of a court to act ***unhampered by legal rule***."

4. Thus, judges are not authorized to usurp a discretionary power, a power "***unhampered by legal rule***," to destroy the constitutional rights of individuals.

5. As Chief Justice Marshall affirms in *Marbury v. Madison*: a judge has a legal duty to act to sustain the constitutional rights of individuals, and:

> "when the rights of individuals are dependent on the performance of those acts; he is so far the officer of the law; is amenable to the laws for his conduct; ***and cannot at his discretion sport away the vested rights of others.***" *Marbury v. Madison*, at

166. (Emphasis added)

B.

1. **Consequently:** The U.S. Constitution does not authorize a judge to usurp a discretionary power, a power "unhampered by legal rule," of "***weighing***" "***arguments***" on a "***scale***," in order to disregard the Constitution's express words, destroy its general principles, reduce the Constitution "to nothing," and "***at his discretion sport away the vested rights of others.***"

a. Thus, judges are not authorized to usurp a discretionary power, a power "unhampered by legal rule," to rummage about in the history of our country, or some country, until the judges find something to support their personal political or social views (such as the views of Karl Marx in *The Communist Manifesto;* or the views of "the supreme judge" of Nazi Germany; or laws of the Union of Soviet Socialist Republics; or views popular in the American Bar Association), which go to the purpose of destroying the Constitution's words.

b. And, judges are not authorized to usurp a discretionary power, a power "unhampered by legal rule," to disregard all the history of our country (such as the *Declaration of Independence*, the *Federalist*, or the *Gettysburg Address*), which go to support the plain words in the Constitution, and to confirm that the words do mean what they expressly say.

2. Consequently, a judge is not authorized to usurp a discretionary power, a power "unhampered by legal rule," of "**weighing**" "**arguments**" on a "**scale**;" in order *to infer from extrinsic circumstances,* that the Constitution's plain words do not mean what they expressly say; and to rule that the Constitution's **GENERAL** principles, which apply to ***all*** cases, are merely **LIMITED** principles, which apply to ***some*** cases, but not ***others***; and "***at his discretion sport away the vested rights of others.***"

C.

Furthermore, Chief Justice Marshall had previously observed that judicial construction of the U.S. Constitution is limited to cases where its provisions conflict with one another:

"(A)lthough the spirit of an instrument, especially of a constitution, is to be respected not less than its letter, yet the spirit is to be collected chiefly from its words. It would be dangerous in the extreme, ***to infer from extrinsic circumstances***, that a case for which the words of an instrument expressly provide, shall be exempted from its operation." *Sturges v. Crowninshield*, at 202. (Emphasis added)

"Where ***words conflict*** with each other, where the different clauses of an instrument bear upon each other, and would be ***inconsistent***, unless the natural and common import of words be varied, construction becomes necessary, and a departure from the obvious meaning of words, is justifiable. ***But*** if, in any case, the plain meaning of a provision, not contradicted by any other provision

in the same instrument, is to be disregarded, because we believe the framers of that instrument could not intend what they say, it must be one in which the absurdity and injustice of applying the provision to the case, would be so monstrous, that ***all mankind would, without hesitation, unite in rejecting the application***. This is certainly not such a case." *Sturges v. Crowninshield*, at 202-203.

1. Consequently, Chief Justice Marshall admits a single exception, which permits a judge to reject the Constitution's plain words; and that single exception is a blessed universal harmony, where "***all mankind would, without hesitation, unite in rejecting.***" (Emphasis added)

a. But, in his long list of landmark cases, spanning about three and a half decades, Chief Justice John Marshall never found even one single example of this blessed universal harmony of "***all mankind would, without hesitation, unite in rejecting***."

b. And, wish as we might, impartial humans cannot find even one unarguable example of such a blessed universal harmony, of "***all mankind would, without hesitation, unite***" in the five thousand years of the bloody records of the whole world.

2. Consequently, this single exception of a blessed universal harmony, where "***all mankind would, without hesitation, unite in rejecting***," which authorizes a judge to reject the Constitution's plain words, amounts to a judicial euphemism for "When

hell freezes over."

3. Thus, in *Cohens v. Virginia*, Chief Justice John Marshall emphatically affirms:

> A judge must ALWAYS understand the plain words in the U.S. Constitution to mean what they expressly say; and there are NO exceptions whatsoever.

D.

But, a treasonable purpose is always lurking about, as nearby as the next law case, with a party petitioning a court to enforce its treasonable purpose with decrees, police, guns, prisons and graves.

1. As in *Cohens v. Virginia*, a party seeking to evade the Constitution's plain limits on government powers would often "infer from extrinsic circumstances," such as the "history of our country," or the "spirit" of the Constitution, that the Constitution's plain words do not mean what they expressly say; and claim that a general limit on government power did not to apply to its particular case.

In addition to *Marbury v. Madison*, and *Cohens v. Virginia*, some examples are: *Dartmouth College v. Woodward* (1819); *Craig v. State of Missouri* (1830); *Brown v. State of Maryland* (1827); *Sturges v. Crowninshield* (1819); *Fletcher v. Peck* (1810); *Gibbons v. Ogden* (1824); *Worcester v. State of Georgia* (1832).

2. But, in each case, Chief Justice Marshall confirms:

a. A court must understand the plain words in the Constitution to mean what they expressly say;

b. A court is not authorized to infer from extrinsic circumstances that the Constitution's plain words do not mean what they expressly say;

c. Thus a court is not authorized to infer that a **GENERAL** principle, which applies to ***all*** cases, with no exceptions whatever prescribed in the Constitution, is a mere **LIMITED** principle, which only applies to ***some*** cases, but not ***others***, and thus destroy the general principle.

d. Or, in defending the general prohibition, "No State shall emit bills of credit," Chief Justice Marshall rephrases this rule in *Craig v. Missouri*, at 433:

> "This court would not feel itself authorized to disregard the plain meaning of words, in search of a conjectured intent to which we are not conducted by the language of any part of the instrument."

3. If Chief Justice Marshall had not stood firm, in a mere three decades, the U.S. Constitution would have been reduced "to nothing."

E.

And Chief Justice Marshall emphatically warns all judges against the crime of judicial treason:

1. Chief Justice Marshall confirms that judges are not above the law; that a judge is "the officer of the law; is amenable to the laws for his conduct; ***and***

cannot at his discretion sport away the vested rights of others." *Marbury v. Madison*, at 166. (Emphasis added).

2. And Chief Justice Marshall confirms that if judges disregard the Constitution's plain limits on government powers, and usurp a discretionary power, a power "unhampered by legal rule," of "**weighing**" "**arguments**" on a "**scale**," in order *to infer from extrinsic circumstances*, (such as the history of our country, or the "spirit" of the Constitution), that the words in the U.S. Constitution do not mean what they expressly say, the judges "usurp" discretionary power not authorized, and commit "treason to the constitution."

3. Chief Justice Marshall observes in *Marbury v. Madison*: The Constitution is written so its limits on government powers "may not be mistaken, or forgotten;" and "if these limits may, at any time, be passed by those intended to be restrained," it reduces the Constitution "to nothing." *Marbury v. Madison*, at 176, 178.

Thus, the Chief Justice warns: Judges who "usurp" discretionary power not authorized commit "treason to the constitution." *Cohens v. Virginia*, at 404.

F.
The Constitution's BRIGHT LINE

Thus Chief Justice Marshall confirms that, to secure its existence, the U.S. Constitution employs the language of mathematics to mark the limit on judicial power with a **BRIGHT LINE**, so an impartial

jury can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, the judges ***who obey the Constitution***, from the judges ***who commit "treason to the constitution."***

1. Extrinsic circumstances can ALWAYS be used "to support" and AFFIRM: The U.S. Constitution, Article VI, prescribes that all State and Federal judges are "bound" by "oath" "to support" the words in the U.S. Constitution as "the supreme law of the land."

CONSEQUENTLY: Judges can ***ALWAYS*** "infer from extrinsic circumstances" (such as the *Declaration of Independence*, or the *Federalist*, or *The Gettysburg Address*) that the Constitution's limits on government powers, written in the language of mathematics, so the limits "may not be mistaken, or forgotten," do mean what the limits expressly say.

2. BUT, ON THE OTHER HAND: Extrinsic circumstances can NEVER be used to NEGATE: The U.S. Constitution, Art. V prescribes that We the People have the sole power to make "amendments to the Constitution." As Chief Justice Marshall observes:

> "The people made the constitution, and the people can unmake it. It is the creature of their will, and lives only by their will. But this supreme and irresistible power to make or to unmake, resides only in the whole body of the people." *Cohens v. Virginia*, at 389.

Thus: Judges are ***NEVER*** authorized "to infer from extrinsic circumstances" (such as the "spirit" of the Constitution, or "the history of our country") that the Constitution's plain limits on government powers, written in the language of mathematics, to establish the limits to an **ABSOLUTE MATHEMATICAL CERTAINTY**, so the limits "may not be mistaken, or forgotten," do **NOT** mean what the limits expressly say; and thus pass the plain limits, and reduce the Constitution "to nothing."

3. As *Cohens v. Virginia* observes: Judges are ***NEVER*** authorized to usurp a discretionary power, a power *unhampered by legal rule*, to infer that a **GENERAL** principle, which applies to ***all*** cases, "without making in its terms any exception whatever," is a mere **LIMITED** principle, which only applies in ***some*** cases, but not ***others***; and thus destroy the general principle, and reduce the U.S. Constitution "to nothing."

4. And, as the Chief Justice warns: Judges who usurp power not authorized commit "treason to the constitution." *Cohens v. Virginia*, at 404.

G.
The technical definition of the crime of treason applies to judges.

1. In his case on the constitutional definition of treason, Chief Justice Marshall confirms:

> "courts which are created by written law, and whose jurisdiction is defined by written law,

cannot transcend that jurisdiction." *Ex Parte Bollman & Swartwurt,* at 93. (Emphasis added)

2. In his famous decision in the Aaron Burr case, Chief Justice Marshall describes the facts which establish the crime of treason under the U.S. Constitution, Art. III, Sect. 3:

> "It is not the intention of the court to say that no individual can be guilty of this crime who has not appeared in arms against his county. On the contrary, ***if war be actually levied, that is, if a body of men be actually assembled for the purpose of effecting by force a treasonable purpose,*** all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors. But there must be an actual assembling of men for the treasonable purpose, to constitute ***a levying of war***." *Ex Parte Bollman & Swartwurt,* 8 U.S. 75, *at* 126. (Emphasis added)

3. Thus, there is surely no better technical definition of judicial "treason to the constitution" than judges "levying war" against the U.S. Constitution, by: (a) actually assembling in public with the treasonable purpose to "usurp" a discretionary power, a power "unhampered by legal rule," to disobey the ***unmistakable*** and ***unforgettable*** limits on government powers; and thus (b) to reduce the U.S. Constitution "to nothing;" and (c) at their ***"discretion sport away the vested rights of others;"*** and (d) to enforce their treasonable purpose

with decrees, police, guns, prisons, and graves.

4. **Secession, by any other name, is still secession:** When Justices publicly assemble for the treasonable purpose (a) to secede from the U.S. Constitution, that is, to secede from the **PLAIN** limits which the Constitution places on their judicial powers, by construing the **PLAIN** limits to be **OBSCURE** limits, in order to pass the limits, and thus to reduce the Constitution "to nothing;" and (b) to condemn to death those victims whom the Constitution endeavors to preserve with the language of **ABSOLUTE MATHEMATICAL CERTAINTY**; and (c) to enforce their treasonable purpose with the power of decrees, police, guns, prisons, and graves; then (d) the judges are committing the plainest treason to the U.S. Constitution which the human mind can know; and, (e) the judges are using the same sophistry to secede from the Constitution, which was employed by the Confederate States of America in 1860 (i.e., inferring from extrinsic circumstances that the plain words in the U.S. Constitution do not mean what they expressly say); and which President Abraham Lincoln called "sugar-coated" "treason."

H.

Thus the Justices who support the Roe v. Wade killings "usurp" power not authorized, and commit "treason to the constitution."

The conclusion is based solely on the limits to judicial power, described in *Cohens v. Virginia, supra.*

1. The Fourteenth Amendment prescribes that "any person" is entitled to "the equal protection of the laws." And the Constitution prescribes no exceptions whatever to the term "any person."

2. Thus, for the same reason that the words "all cases" in *Cohens v. Virginia* establish a **GENERAL** principle (**ALL CASES = 100%; NO EXCEPTIONS WHATEVER = 0**), the words "any person" also establish a **GENERAL** principle (**ANY PERSON =100%; NO EXCEPTIONS WHATEVER = 0**).

Consequently all judges have a sworn duty to sustain both these **GENERAL** principles "in their full operation and natural import." *Cohens v. Virginia*, at 384.

3. As *Cohens v. Virginia* confirms: Judges who "usurp" a discretionary power, a power "unhampered by legal rule," of "**weighing**" "**arguments**" on a "**scale**;" in order (a) *to infer from extrinsic circumstances,* that the Constitution's plain words do not mean what they expressly say; and (b) to rule that the Constitution's **GENERAL** principles, which apply to ***all*** cases, are merely **LIMITED** principles, which apply to ***some*** cases, but not ***others***; commit "treason to the constitution."

4. Thus, the Justices, who support Roe v. Wade, cross the **BRIGHT LINE,** *supra,* which distinguishes

judicial ***obedience***, from judicial ***treason***:

a. The Justices "usurp" a discretionary power, a power "unhampered by legal rule," of "**weighing**" "**arguments**" on a "**scale**," in order ***to infer from extrinsic circumstances***, (such as their fabricated and false history about the purpose of the 19th century abortion statutes; the abortion law in the Union of Soviet Socialist Republics, aka Communist Russia; and the mere unrecorded voice vote of members of the American Bar Association expressing their personal views on abortion), that the Constitution's **GENERAL** principle, that "any person" is entitled to "the equal protection of the laws," is a mere **LIMITED** principle, which only secures "the equal protection of the laws" for ***some*** persons, but not ***others***.

b. Thus the Justices destroy the general principle, reduce the U.S. Constitution "to nothing," and commit "treason to the constitution."

5. Consequently, the Justices "usurp" an unauthorized power to disregard the Constitution's plainly written **GENERAL** principle, in search of a conjectured intent, of a constitutional right to kill unborn persons, to which we are not conducted by the language of any part of the U.S. Constitution.

6. Chief Justice Marshall confirms that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, establishes the Constitution's legitimacy as "a government of laws, and not of men." *Marbury v. Madison*, at 163.

But, in effect, the Justices who support the Roe v. Wade killings supplant the Constitution's **GENERAL** principle with their **LIMITED** principle:

Everyone is NOT EQUAL Before the Law.

7. **Furthermore**, the Justices maintain their Roe v. Wade killings by claiming in open court that they have the discretionary power to decree the mass murder and criminal extermination of Jews, or any other minority in America, to be "liberty;" and everyone must obey. (See partial transcript in the Motion to Allow Counsel, filed in this case.)

Thus the U.S. Supreme Court repudiates the ***unmistakable, unforgettable*** and ***unalienable*** constitutional right to life, for ***each and every person in America***.

8. As President Abraham Lincoln said in his *First Inaugural Address*, if the federal government deprived any minority of a "vital" and "clearly written" constitutional right, it "certainly would" morally justify overthrowing the federal government by "revolution:"

> "If by the mere force of numbers a majority should deprive a minority of any ***clearly written*** constitutional right, it might in a moral point of view justify ***revolution***; certainly would if such right were a ***vital*** one." (Emphasis added)

9. Since the Justices who support the Roe v. Wade killings deprive a minority of the "vital" and "clearly

written" constitutional right of "the equal protection of the laws," so they can be exterminated, it "certainly would" morally justify overthrowing the federal government by "revolution."

Conclusion:
Based upon the mathematical analysis employed in *Cohens v. Virginia, supra*:

An impartial jury can ***instantaneously*** conclude, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the Justices who support the Roe v. Wade killings "usurp" a discretionary power not authorized, and commit "treason to the Constitution."

II.
THE SECOND CONSTITUTIONAL ISSUE:
"The Right to Life"

The U.S. Constitution is designed in the language of mathematics to establish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the right to life secured by its Preamble, Fifth Amendment, and Fourteenth Amendment includes all unborn persons, along with all other persons in America, with no exceptions whatsoever.

PART II, SECTION 1
Marbury v. Madison, 5 U.S. 137 (1803)

A Preface:
1. With his examples in *Marbury v. Madison*, Chief Justice John Marshall confirms that Article III, Section 3, and Article I, Section 9, are written in the

language of mathematics to secure the right to life to an **ABSOLUTE MATHEMATICAL CERTAINTY.**

2. And in *Marbury v. Madison*, Chief Justice Marshall warns: If judges "close their eyes on the constitution," and "condemn to death those victims whom the constitution endeavors to preserve," the judges commit "a crime."

3. Thus, *Marbury v. Madison* employs the Constitution's ***plainly written*** right to life to confirm an ***unwritten*** judicial power to declare unconstitutional acts void.

A.
The Right to Life Secured by the U.S. Constitution, Article III, Section 3

This provision secures the right to life of unpopular minorities from vengeful majorities.

1. *Marbury v. Madison*, at 179-180, cites the example of Article III, Section 3:

> "No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court."

Thus the provision does not make any exception whatever to the term "No person."

2. Consequently, the provision establishes a general principle with two commands: (1) "No person shall be convicted;" and (2) No exception whatever is prescribed to the words "No person." Thus the

Constitution establishes a **GENERAL** principle to secure the right to life and liberty of ***all*** persons, and not merely ***some*** persons but not ***others***.

Thus, Article III, Section 3 confirms that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, is the supreme law of the land.

3. Although Article III, Section 3 is written in English words, it establishes mathematical conclusions:

a. The English word **"two"** always means the numeral **2**, that **TWO = 2**, and ***NEVER*** any other number.
   i. Thus, the provision is written in the language of *absolutely elementary mathematics*, of counting by one:

      1 witness + **1** witness = **2** witnesses.

   ii. Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, the number "1" **(1** witness), from the number "2" **(2** witnesses).

b. The English word **"No"** always means none at all, zero, or **NO = 0**, and ***NEVER*** any other number.
   i. *Webster's New World Dictionary* defines the word "No" as: "not in any degree," "none at all," "not."

   ii. Thus, the words **"No** bank robbing" mean "Zero" bank robbing, none at all. **"No"** bank robbing never means **"some"** bank robbing: **NO** never

means **YES. NO** *always* means **ZERO.**

iii. Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the mathematical term **"0"** (Zero) from every other number in the Universe.

c. The English word "open" court presents the dichotomy of either **OPEN** or **CLOSED.** Like **ON** or **OFF**, and **1** or **0**, the dichotomy of **OPEN** or **CLOSED** is a mathematical binary term.

i. The word **OPEN** never means **CLOSED.**

ii. Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the mathematical binary term "**open court**" in session, from the mathematical binary term "**closed court**" not in session.

d. And the English word "**shall**" is a legal warning which means no discretion; or **DISCRETION = 0.**

i. As Chief Justice Marshall observes, the word "shall" indicates "a duty enjoined by the constitution." *Marbury v. Madison*, at 156.

ii. Thus a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the legal duty enjoined by the Constitution to **OBEY** these mathematical terms, from usurping a discretionary power, a power "unhampered by legal rule," to **DISOBEY** these mathematical terms.

4. Consequently, Article III, Section 3 secures the right to life, by employing the language of mathematics five times, (not including the mathematical binary term "in"); in both a negative format, and a positive format:

NO PERSON SHALL BE CONVICTED = 0

NO EXCEPTIONS WHATEVER = 0

EVERYONE IS EQUAL BEFORE THE LAW = 100%

JUDICIAL DISCRETION = 0

TWO = 2

5. Thus, Article III, Section 3 secures the right to life of all persons from attack by violent majorities by clamping the legal right tightly in the jaws of a mathematical vice, consisting of five equations designed in the language of **ABSOLUTE MATHEMATICAL CERTAINTY**. Thus, "nothing can be more perfectly clear."

6. **The Example**: And, in *Marbury v. Madison*, at 179-180, Chief Justice Marshall provides an example:

a. Suppose the legislature changed the rule, and declared ***one*** witness sufficient for conviction, and not the ***two*** required by the Constitution.

b. Chief Justice Marshall asks: "Must the court condemn to death those victims whom the

constitution endeavors to preserve?"

c. And he emphatically answers: Judges who "close their eyes on the constitution," and "condemn to death those victims to whom the constitution endeavors to preserve," commit "a crime."

8. Thus the ***plainly written*** legal right to life confirms an ***unwritten*** judicial power to declare unconstitutional acts void.

CONCLUSION:

The example in *Marbury v. Madison* confirms:

The U.S. Constitution is written in the language of mathematics, so an impartial jury can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, the judges ***who obey the Constitution***, from the judges ***who are mass murderers***.

B.
The Right to Life Secured by the U.S. Constitution, Article I, Section 9

This provision secures unpopular minorities from being condemned to death without trial by act of Congress.

1. *Marbury v. Madison*, at 179-180, also cites the example of Article I, Section 9:

> "No bill of attainder ... shall be passed."

And the provision prescribes no exceptions whatever to the term "No bill of attainder."

2. Consequently, the Constitution establishes a general principle with two commands: (1) "No bill of attainder;" and (2) No exceptions whatever are prescribed to the words "No bill of attainder." Thus the Constitution establishes a **GENERAL** principle to secure the right to life and liberty of ***all*** persons, and not merely ***some*** persons but not ***others***.

Thus, Article I, Section 9 confirms that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, is the supreme law of the land.

3. Consequently, Article I, Section 9, secures the right to life by employing the language of mathematics four times; in both a negative format, and a positive format:

NO BILL OF ATTAINDER = 0

NO EXCEPTIONS WHATEVER = 0

EVERYONE IS EQUAL BEFORE THE LAW = 100%

JUDICIAL DISCRETION = 0

4. Thus, the provision secures the constitutional right to life of all persons from attack by violent majorities by clamping the legal right tightly in the jaws of a mathematical vice, consisting of four equations designed in the language of **ABSOLUTE**

MATHEMATICAL CERTAINTY. Thus, "nothing can be more perfectly clear."

5. And Chief Justice Marshall asks: If Congress should pass a bill of attainder, "Must a court condemn to death those victims whom the constitution endeavors to preserve?"

6. And the Chief Justice answers: If judges "close their eyes on the Constitution," and "condemn to death those victims whom the constitution endeavors to preserve," the judges commit "a crime."

CONCLUSION:

The U.S. Constitution, Article I Section 9, is written in the language of mathematics, so an impartial jury can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, the judges ***who obey the Constitution***, from the judges ***who are mass murderers***.

PART II, SECTON 2

The Right to Life Secured by the U.S. Constitution's, Preamble Fifth and Fourteenth Amendments

The same mathematical analysis, which Chief Justice Marshall employs in *Marbury v. Madison* and *Cohens v. Virginia*, *supra*, to understand the right to life secured by Article III, Section 3, Article I, Section 9, and Article III Section 2, is employed herein to understand the right to life secured by the Preamble, Fifth and Fourteenth Amendments.

A.

The Preamble is written in the language of mathematics to secure the right to life for all unborn persons to an ABSOLUTE MATHEMATICAL CERTAINTY.

1. The Preamble prescribes (emphasis added):

> "We the People of the United States, in Order to ... secure the Blessings of Liberty to ourselves **AND OUR POSTERITY**, do ordain and establish this Constitution for the United States of America."

And the Preamble prescribes no exceptions whatever to the term "ourselves and our Posterity."

2. Consequently, the Preamble establishes a **GENERAL** principle with two commands: (1) "ourselves and our Posterity;" and (2) no exception whatever is prescribed to the words "ourselves and our Posterity." Thus the Preamble secures the legal right to life and liberty of ***all*** of "ourselves and our Posterity," and not merely ***some*** of "ourselves and our posterity," but not ***others***.

Consequently, the Preamble affirms that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, is the supreme law of the land.

3. Although written in English words, the Preamble establishes mathematical conclusions:

a. The Preamble prescribes that the Constitution is established to secure the legal right to life and

liberty of "ourselves and our Posterity," with no exceptions whatever prescribed in the Preamble.

b. And, it is too plain to be disputed that unborn persons are either a part of "ourselves," or "our Posterity." There is no future, no Posterity whatever, without our unborn children. And the Preamble unmistakably secures the right to life of both categories of persons.

c. Thus the Constitution secures the right to life and liberty to **ALL** of ourselves, and **ALL** of our Posterity, and not merely **SOME** of "ourselves" and **SOME** of "our Posterity."

4. Consequently, the Preamble secures the right to life for all unborn persons, along with all other persons, by employing the language of mathematics three times: in both a positive format, and a negative format:

ALL OF OURSELVES AND OUR POSTERITY = 100%

EVERYONE IS EQUAL BEFORE THE LAW = 100%

NO EXCEPTIONS WHATEVER = 0

5. Thus, the Preamble secures the right to life of all unborn persons, along with all other persons, by clamping the legal right tightly in the jaws of a mathematical vice, consisting of three equations designed in the language of **ABSOLUTE MATHEMATICAL CERTAINTY.** Thus, "nothing can be more perfectly clear."

6. And, "extraneous circumstances" are relevant because they confirm that the Preamble means what it expressly says:

a. The Declaration of Independence proclaims "all men are ***created*** equal," and endowed with an "unalienable" right to life.

b. From the beginning of America, the common law protected the lives of unborn persons by prohibiting abortion as a crime; and some abortions were prosecuted as "murder." And unborn persons could inherit property.

c. And the U.S. Supreme Court itself observed:

"(I)t is always safe to read the letter of the Constitution in the spirit of the Declaration of Independence. No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government." *C. & S. F. RY. Co., v. Ellis*, 165 U.S. at 160.

7. Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, the mathematical term **ALL** of ourselves and **ALL** our Posterity (ALL = 100%), from the term **SOME** of ourselves and **SOME** of our Posterity.

8. Thus the U.S. Constitution is designed in the language of mathematics to establish, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the

constitutional right to life secured by its Preamble includes all unborn persons, along with all other persons in America, with no exceptions whatever.

Conclusion: The Preamble

The Preamble is designed in the language of mathematics, so an impartial jury can ***instantaneously*** conclude, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the Justices who support the Roe v. Wade killings commit the "crime" of the national mass murder and criminal extermination of about fifty million children.

B.

The Fifth Amendment is written in the language of mathematics to secure the right to life for all unborn persons to an ABSOLUTE MATHEMATICAL CERTAINTY.

1. The Fifth Amendment prescribes:

> "No person shall be ... deprived of life... without due process of law."

And the Constitution prescribes no exceptions whatever to the term "No person."

2. Consequently, the Fifth Amendment establishes a general principle with two commands: (1) "No person shall be deprived;" and (2) no exception whatever is prescribed to the words "No person." Thus, the Amendment establishes a **GENERAL** principle to secure the right to life of ***all*** persons, and not merely ***some*** persons but not ***others***.

Thus, the Fifth Amendment confirms that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, is the supreme law of the land.

3. Although written in English words, the Amendment establishes mathematical conclusions:

a. As already shown, *supra*, the English word "**No**" always means none at all, zero, or **NO = 0**, and ***NEVER*** any other number.

Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the mathematical term **"0" (Zero)** from every other number in the Universe.

b. And the English word "**shall**" is a legal warning which means no discretion; or **DISCRETION = 0.**

i. As Chief Justice Marshall observes, the word "shall" indicates "a duty enjoined by the constitution." *Marbury v. Madison*, at 156.

ii. Thus a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the legal duty commanded by the Constitution to **OBEY** these mathematical terms, from usurping a discretionary power, a power "unhampered by legal rule," to **DISOBEY** them.

3. Consequently, the Fifth Amendment secures the right to life of all unborn persons by employing the language of mathematics four times, in both a positive format; and a negative format:

NO PERSON SHALL BE DEPRIVED = 0

NO EXCEPTIONS WHATEVER = 0

EVERYONE IS EQUAL BEFORE THE LAW = 100%

JUDICIAL DISCRETION = 0

4. Thus, the Fifth Amendment secures the right to life of all unborn persons, along with all other persons, by clamping the legal right tightly in the jaws of a mathematical vice, consisting of four equations designed in the language of **ABSOLUTE MATHEMATICAL CERTAINTY**. Thus, "nothing can be more perfectly clear."

5. Additionally, the Constitution's purpose stated in its Preamble, to secure the blessings of life and liberty "to ourselves ***and our Posterity***," confirms that the mathematical language in the Fifth Amendment, which secures the right to life of all unborn persons, along with everyone else, with no exceptions whatever, means what it expressly says.

a. As Chief Justice Marshall observes: Purposes stated in the instrument itself are "considerations to which Courts have always allowed great weight in the exposition of laws." *Cohens v. Virginia*, at 416-17.

b. And, Chief Justice Marshall observes in *Cohens v. Virginia*: The Constitution's purpose, stated in its Preamble, "to form a more perfect union," confirms that the Supreme Court's Article III, Section 2 appellate jurisdiction over "all cases" means what

the words expressly say. *Id.*, at 416-17.

c. And, President Abraham Lincoln observed: The Constitution's purpose stated in its Preamble, "to form a more perfect union," confirms that the words in Article VI, that States are "bound" to "support" the U.S. Constitution as "the supreme law of the land," mean what the words expressly say; thus secession was merely "sugar-coated" "treason."

Conclusion: The Fifth Amendment

The Fifth Amendment is designed in the language of mathematics, so an impartial jury can ***instantaneously*** conclude, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the Justices who support the Roe v. Wade killings commit the "crime" of the national mass murder and criminal extermination of about fifty million children.

C.

The Fourteenth Amendment is written in the language of mathematics to secure the right to life for all unborn persons to an ABSOLUTE MATHEMATICAL CERTAINTY.

1. The Fourteenth Amendment prescribes:

> "No State shall make or enforce any law which shall ... deprive ***any person*** of life ... without due process of law; nor deny to ***any person*** within its jurisdiction the equal protection of the laws." (Emphasis added)

And the Amendment prescribes no exceptions whatever to the term "any person."

2. Thus, the Fourteenth Amendment establishes a general principle with two commands: (1) "No State shall ... deprive ***any person***;" and (2) no exception whatever is prescribed to the words "***any person***." Thus the Constitution establishes a **GENERAL** principle to secure the right to life and liberty of ***all*** persons, and not merely ***some*** persons but not ***others***.

Consequently, the provision employs the language of mathematics to confirm that the general principle, **EVERYONE IS EQUAL BEFORE THE LAW**, is the supreme law of the land.

3. Although written in English words, the provision establishes mathematical conclusions:

a. As already observed, *supra*, the English word "**No**" means none at all, zero, or NO = 0; and ***never*** any other number. NO never means YES.

b. The English word "**any**" always means 100%, and ***never*** any other number.

   i. *Webster's Collegiate Dictionary (2012)* defines the word "any" as: "unlimited in amount, number or extent;" "used to indicate a maxim or whole."

   And *Webster's New World Dictionary* defines the word "any" as: "every," "without limit," "to any degree or extent."

   ii. ANY is synonym of ALL. Thus the phrase, Not ***any case*** shall be excluded from the Supreme

Court's appellate jurisdiction, is exactly the same as saying "***all cases***" are included.

iii. Thus the words "No person shall rob **any** bank," mean "**Zero**" bank robbing, none at all. The command, "No person shall rob "**any**" bank never means that "**some**" banks can be robbed with impunity. **ANY = ALL = 100%.**

iv. Consequently, a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the mathematical term **100%** from every other number in the Universe.

c. And the English word "**shall**" is a legal warning which means no discretion; or **DISCRETION = 0.**

i. As Chief Justice Marshall observes, the word "shall" indicates "a duty enjoined by the constitution." *Marbury v. Madison*, at 156.

ii. Thus a judge can ***instantaneously*** distinguish, to an **ABSOLUTE MATHEMATICAL CERTAINTY,** the legal duty enjoined by the Constitution to **OBEY** these mathematical terms, from usurping a discretionary power, a power "unhampered by legal rule," to **DISOBEY** them.

4. Consequently, the Fourteenth Amendment secures the right to life of all unborn persons, by employing the language of mathematics six times, in both a positive format; and a negative format:

EVERYONE IS EQUAL BEFORE THE LAW = 100%

NO STATE = 0

NO STATE SHALL DEPRIVE "ANY PERSON" OF DUE PROCESS OF LAW = 0

NOR DENY "ANY PERSON" THE EQUAL PROTECTION OF THE LAWS = 0

NO EXCEPTIONS WHATEVER TO "ANY PERSON" = 0

JUDICIAL DISCRETION = 0

5. Thus, the Fourteenth Amendment secures the right to life of all unborn persons, along with all other persons, by clamping the legal right tightly in the jaws of a mathematical vice, consisting of six equations designed in the language of **ABSOLUTE MATHEMATICAL CERTAINTY**. Thus, "nothing can be more perfectly clear."

6. Furthermore, the Constitution's purpose, stated in its Preamble, to secure the blessings of life and liberty "to ourselves ***and our Posterity***," confirms that the mathematical language in the Fourteenth Amendment, which secures the right to life of all unborn persons, along with everyone else, means what it expressly says.

Conclusion: The Fourteenth Amendment

The Fourteenth Amendment is designed in the language of mathematics, so an impartial jury can ***instantaneously*** conclude, to an **ABSOLUTE MATHEMATICAL CERTAINTY**, that the Justices who support the Roe v. Wade killings commit the "crime" of the national mass murder and criminal extermination of about fifty million children.

III.

The Justices of the U.S. Supreme Court have supplanted the U.S. Constitution with a Nazi Doctrine Dynasty:

A.

The Nuremberg Tribunal observed that Germany's Weimar Constitution reserved rights for individuals similar to the rights reserved in the U.S. Constitution, such as "Equality before the law." *United States v. Altstoetter*, 3 Trials of War Criminals before the Nuernberg Military Tribunals, 985-986 (1951).

Germany's Weimar Constitution, Article 109, prescribed: "All Germans are equal before the law."

The Nuremberg Tribunal described the hallmark of the Nazi legal system.

1. **Nazi Step 1:**
   But, "the supreme judge" of Nazi Germany presumed a discretionary power, a power *unhampered by legal rule*, to infer that the term "All Germans," did not include Jews, and other minorities. *Id.*, at 985-987.

2. **Nazi Step 2**:
   And, "the supreme judge" of Nazi Germany presumed a discretionary power, a power *unhampered by legal rule*, to decree the mass murder and criminal extermination of Jews, and other minorities to be legal. *Id.*, at 985-987.

The Nuremberg Tribunal concluded, "The dagger of the assassin was concealed beneath the robes of the jurist." *Id.*, at 985.

B.

And, following precedent of "the supreme judge" of Nazi Germany, the Justices of the U.S. Supreme Court have discarded the U.S. Constitution, and adopted the hallmark of the Nazi legal system as the supreme law of the United States:

The U.S. Constitution's Fourteenth Amendment employs the language of mathematics to guarantee "any person" the "equal protection of the laws."

1. **Nazi Step 1**:
   But, in Roe v. Wade, the Justices presumed a discretionary power, a power *unhampered by legal rule*, to infer that the term "any person" does not include unborn persons.

2. **Nazi Step 2**:
   And, the Justices presumed a discretionary power, a power *unhampered by legal rule*, to decree the mass murder and criminal extermination of unborn persons to be legal.

Thus: "The dagger of the assassin was concealed beneath the robes of the jurist."

C.

1. ***Furthermore***, the Justices maintain their killings by claiming in open court that they have a discretionary power, a power *unhampered by legal rule*, to decree the mass murder and extermination of Jews, or any other group of persons in America, to be legal. (See partial transcript in the *Motion to Allow Counsel*, filed herein)

2. Consequently, the U.S. Supreme Court destroys the ***unmistakable***, ***unforgettable***, and ***unalienable*** constitutional right to life of each and every person in America.

D.

Following the advice of Abraham Lincoln, "to call things by their right names, no matter who was offended:"

1. For the **133rd time**, the Justices are accused in this Court of criminally condemning to death tens of millions of persons whom the U.S. Constitution endeavors to preserve.

2. For the **113th time**, the Justices are accused in this Court of using criminal procedures to effect and maintain the Roe v. Wade killings.

3. For the **109th time**, the Justices are accused in this Court of mass murder.

4. And the Justices' silence, in the face of these charges, repeated in this Court for four decades, is admissible as a confession that the charges are true.

As the U.S. Supreme Court said:

> "the Court has consistently recognized that ... silence in the face of accusation is a relevant fact... Silence is often evidence of the most persuasive character." *Baxter v. Palmigiano*, 425 U.S. at 319.

5. But, most importantly, the U.S. Constitution is not written to be "***obscure***;" rather it is designed in the language of mathematics, which proves these charges to be true to an **ABSOLUTE MATHEMATICAL CERTAINTY**.

THE CONCLUSION
The Demand for the Relief Sought

The Amicus Curiae demands that the Justices obey the U.S. Constitution forthwith, and **AFFIRM:**

> **The U.S. Constitution's Preamble, Fifth and Fourteenth Amendments secure the right to life of all unborn persons, along with all other persons in America, with no exceptions whatsoever. And, "nothing can be more perfectly clear."**

Submitted by,
Alan Ernest, Counsel